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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/083,169	02/26/2002	Petri Hyypa	P3078US00	5147
36671 7590 12/10/2009 DITTHAVONG MORI & STEINER, P.C. 918 Prince Street Alexandria, VA 22314				
EXAMINER				
IQBAL, KHAWAR				
ART UNIT		PAPER NUMBER		
2617				
NOTIFICATION DATE		DELIVERY MODE		
12/10/2009		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docket@dcpatent.com

Office Action Summary

Application No.

10/083,169

Applicant(s)

HYYPPA ET AL.

Examiner

KHAWAR IQBAL

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 November 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 9, 12, 16, 18-25, 30, 32, 36, 40 and 42-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 9, 12, 16, 18-25, 30, 32, 36, 40, 42-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11-04-09 has been entered.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claim 45 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The specifically does not disclose in the original specification "A computer-readable storage medium carrying one or more sequences of one or more instructions which, when executed by one or more processors," claim 45, lines 1-3.

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4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1, 9, 12, 16 and 18-22 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 1, the phrase "verifying internally at said user equipment on the basis of an identification code that associates with the user equipment and input by a user" in lines 4-5 of the claim is indefinite because it is not a positive recitation. It is unclear whether the claimed "input by a user" is verified.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1,9, 12, 16, 18-25, 30, 32, 36, 40 and 42-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Breek et al (20040210449) in view of Capitani et al (6976011).

Regarding claim 1 Breek et al teaches a method comprising (figs. 1-5):
causing, at least in part, receiving at a user equipment of information entity
including data fields (para. # 0067, 0077);

verifying internally at said user equipment on the basis of an identification code that associates with the user equipment and input by a user (enter the smart card into the smart card reader and enter his PIN number. Upon entering this information, the system logs the cardholder 1 into smartchip payments checkout process), that automatically inserting information into at least one data field of said information entity is allowed by the user (The cardholder 1 will hit "check out" and the smartchip payments checkout process may auto-generate and transaction information into the appropriate payment field, automatically filled information by downloaded from a digital wallet into the payment fields, see fig. 7, transaction information are automatically filled into the web shopping page by the card, para. # 0067, 0077-0078); and

when automatically insertion of information is allowed by the user (The cardholder 1 will hit "check out"), automatically inserting at the user equipment information into at least one data field of the information entity based on information available at the user equipment (The cardholder 1 will hit "check out" and the smartchip payments checkout process may auto-generate and transaction information into the appropriate payment field, automatically filled information by downloaded from a digital wallet into the payment fields, see fig. 7, transaction information are automatically filled into the web shopping page by the card, para. # 0040, 0042, 0067, 0077-0078).

Breek et al does not teach the identification code being one of a Subscriber Identity Module (SIM) serial number, or an international mobile station equipment identity (IMEI) code, or an internal mobile subscriber identity (IMSI) code.

In an analogous art, Capitant et al teaches the identification code being one of a Subscriber Identity Module (SIM) serial number, or an international mobile station equipment identity (IMEI) code, or an internal mobile subscriber identity (IMSI) code (col. 5, lines 18-20, col. 10, lines 16-21). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Breek et al by specifically adding feature the identification code a Subscriber Identity Module or IMSI in order to provides secure method for executing data by using specific identification code as taught by Capitant et al.

Regarding claim 9 Breek et al teaches wherein at least part of the transaction information to be inserted in the information entity is obtained from a storage unit provided at the user equipment (automatically filled by the card provider 3 or downloaded from a digital wallet) (para. # 0066-0067, 0077-0078, see claim 1 above).

Regarding claim 12 Breek et al teaches wherein the information is inserted by transaction processing unit of the user equipment, in a predefined manner and in accordance with predefined instructions that define the information that is to be inserted in the information entity in response to an event (para. # 0066-0067, 0077-0078, see claim 1 above).

Regarding claim 16 Breek et al teaches wherein said information entity is transported as a standardized data entity (para. # 0066-0067, 0077-0078).

Regarding claims 18-19 Breek et al data entity is based on the Electronic Commerce Modeling Language (para. # 0066-0067, 0077-0078).

Regarding claim 20 Breek et al teaches wherein the user equipment communicates transaction information via an interface that is based on at least one of the following: short message service (SMS); wireless application protocol (WAP); internet protocol (IP); a short range radio link; a proximity card type interface; an infrared link (para. # 0066-0067, 0077-0078, see claim 1 above).

Regarding claim 21 Breek et al teaches wherein the user equipment receives the information entity via a first type of interface and returns the information entity via a second type of interface (para. # 0066-0067, 0077-0078).

Regarding claim 22 Breek et al teaches wherein the user equipment communicates with a base station (inherent) of a cellular communication network (para. # 0040, 0042, 0067).

Regarding claims 23, 45 Breek et al a user equipment comprising (figs. 1-5):
at least one processor; and at least one memory including computer program code, the at least one memory and the computer program code configured to, with the at least one processor, cause the apparatus to perform at least the following (para. # 0066-0067, 0077-0078),

cause, at least in part, receiving of an information entity including data fields (para. # 0067, 0077);

verify internally at said apparatus, on the basis of an identification code that associates with the apparatus and input by a user, that automatic insertion of information into at least one of said data fields of said information entity is allowed by the user (para. # 0067, 0077-0078),

when automatically insertion of information is allowed by the user, automatically inserting insert at the apparatus information available for the processing unit in at least one of said data fields of said information entity (para. # 0066-0067, 0077-0078); and

cause, at least in part, transmission of the information entity with said automatically inserted transaction information from the apparatus to a co-operative device over a wireless interface (para. # 0040, 0042, 0066-0067, 0077-0078). Breek et al does not teach the identification code being one of a Subscriber Identity Module (SIM) serial number, or an international mobile station equipment identity (IMEI) code, or an internal mobile subscriber identity (IMSI) code.

In an analogous art, Capitant et al teaches the identification code being one of a Subscriber Identity Module (SIM) serial number, or an international mobile station equipment identity (IMEI) code, or an internal mobile subscriber identity (IMSI) code (col. 5, lines 18-20, col. 10, lines 16-21). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Breek et al by specifically adding feature the identification code a Subscriber Identity Module or IMSI in order to provides secure method for executing data by using specific identification code as taught by Capitant et al.

Regarding claims 24, 42 Breek et al teaches comprising storage unit configured to store the transaction information, wherein the processing unit is adapted to fetch information from said storage means and to insert said information from the storage means into the information entity (para. # 0066-0067, 0077-0078, see claim 1 above).

Regarding claims 25, 43 Breek et al teaches wherein the processing unit is adapted to obtain information from at least one other information entity and to insert said information from the at least one other information entity into said information entity that is the subject of the information insertion procedure (para. # 0066-0067, 0077-0078).

Regarding claims 30, 32 Breek et al teaches wherein the information entity is a form; form is selected from the group consisting of a billing details form and shipping detail form (para. # 0040, 0042, 0066-0067, 0077-0078).

Regarding claim 36 Breek et al teaches wherein the transaction information comprises at least one of: name; address; credit card number; telephone number; or passport number (para. # 0040, 0042, 0066-0067, 0077-0078, see claim 1, above).

Regarding claims 40, 44 Breek et al teaches the service provider to indicate a selected one of options including acceptance and rejection of the information supplied for inclusion in a form based on a comparison of the identification code to a record of codes (para. # 0040, 0042, 0059, 0066-0067, 0077-0078, see claim 1, above).

Response to Arguments

8. Applicant's arguments with respect to claims 1, 9, 12, 16, 18-25, 30, 32, 36, 40 and 42-45 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KHAWAR IQBAL whose telephone number is (571)272-7909. The examiner can normally be reached on 9 am to 6.30 pm Monday to Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, GEORGE ENG can be reached on 571-272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/George Eng/
Supervisory Patent Examiner, Art Unit 2617

/K. I./
Examiner, Art Unit 2617